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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JOHN JOEY MARKS,

Petitioner,

2:17-cv-01413-JCM-PAL

vs.

**ORDER**

BRIAN WILLIAMS, *et al.*,

Respondents.

\_\_\_\_\_ /

In this habeas corpus action, brought pursuant to 28 U.S.C. § 2254, the Court appointed counsel for the petitioner, John Joey Marks. *See* Order entered June 1, 2017 (ECF No. 3). On June 23, 2017, with counsel, Marks filed a first amended petition (ECF No. 7). Marks also filed a motion (ECF No. 10) requesting leave of court to file a second amended habeas petition. The Court granted the motion for leave to file a second amended petition on July 3, 2017, and ordered Marks to file the second amended petition within 120 days -- by October 31, 2017 (ECF No. 11).

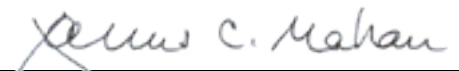
On October 30, 2017, Marks filed a motion for extension of time (ECF No. 15), requesting a 90-day extension of time, to January 29, 2018, to file his second amended petition. Marks' counsel states that the extension of time is necessary because of her obligations in other cases. She states that respondents do not oppose the motion for extension of time. The Court finds that the motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the requested extension of time. The Court will grant the motion for extension of time.

1 The Court intends that neither this extension of time, nor the order of July 3, 2017  
2 (ECF No. 11), granting Marks leave of court to file a second amended petition, will have any effect  
3 on the running of any applicable limitations period.

4 *The Court will not be inclined to further extend this deadline.*

5 **IT IS THEREFORE ORDERED** that petitioner's Motion for Extension of Time  
6 (ECF No. 15) is **GRANTED**. Petitioner will have until and including **January 29, 2018**, to file a  
7 second amended petition for writ of habeas corpus.

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9 Dated November 1, 2017.

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12 UNITED STATES DISTRICT JUDGE